

17.08.2021

Court No.28
Item No.277
(Allowed)

Akd
&
As

CRM 2210 of 2021
(Via Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Chanchal Police Station Case No. 813 of 2019 dated 28.09.2019 under Sections 183/332/353/307 of the Indian Penal Code;

And

In the matter of : **Ashok Saha**

...Petitioner

Mr. Kaustav Bagchi,
Mr. Debayan Ghosh,
Mr. Arup Sarkar.

...For the Petitioner

Mr. P. K. Datta,
Mr. Santanu Deb Roy.

...For the State.

Apprehending arrest in connection with Chanchal Police Station Case No. 813 of 2019 under Sections 183/332/353/307 of the Indian Penal Code, the petitioner has filed the instant application for anticipatory bail.

The instant case has been filed on the complaint of the Assistant Sub Inspector that he has been physically assaulted by the petitioner and the other two persons while discharging his duty. The other co-accused have already been enlarged on bail by the Trial Court.

We have perused the medical examination report of the complainant and do not find the injury to be grievous in nature. Moreover the charge sheet has already been filed. Therefore, we are inclined to extend the benefit of Section 438 of the Code of Criminal Procedure to the petitioner.

The prayer for anticipatory bail is thus allowed.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer of the concerned police station subject to the conditions that he shall appear before the Trial Court

on every date of hearing and on further conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

In the event, the petitioner fails to do so without any justifiable cause, the Trial Court shall be at liberty to pass an appropriate order in accordance with law without further reference to this Court.

The application for anticipatory bail, being CRM 2210 of 2021 is thus **disposed of**.

(Harish Tandon, J)

(Bibek Chaudhuri, J.)